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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/967,242

09/28/2001

Bertram Geck

2001 P 18013 US

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07/21/2004

Siemens Corporation  
Intellectual Property Department  
186 Wood Avenue South  
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EXAMINER

LEE, JOHN J

ART UNIT

PAPER NUMBER

2684

17

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/967,242

**Applicant(s)**

GECK ET AL.

**Examiner**

JOHN J LEE

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 2, 4 – 7, and 26** are rejected under 35 U.S.C. 102(e) as being anticipated by Steer (US Patent number 6,643,517).

Regarding **claim 1**, Steer discloses that a system for restricting features in a wireless network (Fig. 1 and column 3, lines 26 – 67). Steer teaches that at least one base station (the wireless network includes plurality base stations as see 4, 5, 6 in Fig. 1). Steer also teaches that at least one database (the protection broadcast information server (8) in Fig. 1) comprising representations of rules for restriction on features (broadcasting information for the boundaries of the region inside which mobile radio operations are to be restricted or can be anything for restriction) of at least one terminal (10 in Fig. 1) wirelessly connected (Fig. 1) to the at least one base station (6 in Fig. 1) (Fig. 1, 2 and column 5, lines 3 – 62), wherein the restriction for at least one of the at least one terminal (10 in Fig. 1) is dependent on the specific one of the at least one base station (6 in Fig. 1) (Fig. 1 teaches each base station wirelessly communicates with mobile stations within predetermined coverage area, moreover, the at least one base station (6) in restricted area

(12) wirelessly connected with at least one mobile station for restricted operation) (Fig. 1, 2, column 5, lines 3 – 62, and column 3, lines 26 – column 4, lines 30).

Regarding **claim 2**, Steer discloses that the restriction on features depends at least on the time of day (Fig. 1, 3 and column 7, lines 56 – column 8, lines 43, where teaches mobiles have time to receive (arrival time of the day) and process the warning signals).

Regarding **claim 4**, Steer discloses that the restriction on features depends at least on whether a communication is incoming or outgoing (Fig. 1, 3, abstract, and column 5, lines 3 – 62).

Regarding **claim 5**, Steer discloses that the restriction on features depends at least on whether a communication is designated as an emergency (Fig. 1, 3 and column 3, lines 26 – column 4, lines 30).

Regarding **claim 6**, Steer discloses that the terminal is a wireless telephone (Fig. 1, 3 and column 3, lines 19 – column 4, lines 30).

Regarding **claim 7**, Steer discloses that the restriction on features is that the terminal may not ring (Fig. 1, 3 and column 3, lines 19 – column 4, lines 30).

Regarding **claim 26**, Steer discloses all the limitation, as discussed in claim 1. Furthermore, Steer discloses the restriction on features further depends on the specific at least one of the at least one terminal (Fig. 1, 2, column 5, lines 3 – 62, and column 3, lines 26 – column 4, lines 30).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 3, 9-25, and 27-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Steer in view of Rafael (GB 2354407A).

Regarding **claim 3**, Steer does not specifically disclose the limitation “the restriction on features depends at least on the priority of the at least one terminal”.

However, Rafael discloses the limitation “the restriction on features depends at least on the priority of the at least one terminal” (Fig. 1, abstract, and pages 3, lines 1 – 34, where teaches the terminal may be programmed with parameters which relate to the power, duration or classes of priority of the mobile devices that are to be inhibited). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Steer system as taught by Rafael, provide the motivation to achieve efficient controlling an area of restricted operation provided by certified terminal should no longer exist in mobile network.

Regarding **claim 9**, Steer discloses all the limitation, as discussed in claim 1. Furthermore, Steer further discloses that determining which one of a plurality of terminals is associated with an incoming communication (Fig. 1, 3 and column 5, lines 3 – 62, where teaches only incoming allowed with no audible ringing). Steer teaches that accessing at least one database to look up rules governing restriction on a base station

connected to the one of a plurality of terminals (where teaches various types of restricted transmissions need to be defined in a universal way so that they can be understood by all mobiles that may wonder into the region), the restriction on the base station being independent of the own operation of the one of a plurality of terminals (where teaches could perhaps be installed, owned and operated by the owner of a protected region who may wish to restrict operation of mobile radio on their premises) (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 10, lines 25 – 50). Steer teaches that activating the one of a plurality of terminals if allowed, wherein the allowance depends at least on the restriction on the base station (Fig. 1, 3 and column 4, lines 46 – column 5, lines 62).

Steer does not specifically disclose the limitation “accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals, the restriction on the base station being independent of the specific identity of the one of a plurality of terminals”. However, Rafael discloses the limitation “accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals, the restriction on the base station being independent of the specific identity of the one of a plurality of terminals” (page 6, lines 3 – pages 7, lines 34 and Fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Steer system as taught by Rafael, provide the motivation to improve mobile service within the restricted area in mobile network.

Regarding **claim 10**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that the allowance depends at least

on the restriction on the one of a plurality of terminals (Fig. 1, 3 and column 4, lines 46 – column 5, lines 62).

Regarding **claim 11**, Steer and Rafael disclose all the limitation, as discussed in claims 8 and 9.

Regarding **claim 12**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 5.

Regarding **claim 13**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 2.

Regarding **claim 14**, Steer discloses that the allowance on features depends at least on the format of communication (Fig. 1, 3 and column 5, lines 3 – column 6, lines 41).

Regarding **claim 15**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 6.

Regarding **claim 16**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 7.

Regarding **claim 17**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that accessing at least one database to look up rules governing restriction on a base station receiving a signal from a terminal associated with a request for an outgoing communication (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 10, lines 25 – 50). Steer teaches that connecting the terminal for the outgoing communication if allowed, wherein the allowance depends at

least on the restriction on the base station (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 3, lines 26 – column 4, lines 30).

Regarding **claim 18**, Steer and Rafael disclose all the limitation, as discussed in claims 10 and 17.

Regarding **claim 19**, Steer discloses that the allowance on features depends at least on whether the terminal is inside a predetermined room (Fig. 3 and column 9, lines 1 - 23).

Regarding **claim 20**, Steer and Rafael disclose all the limitation, as discussed in claims 12 and 17.

Regarding **claim 21**, Steer and Rafael disclose all the limitation, as discussed in claims 13 and 17.

Regarding **claim 22**, Steer and Rafael disclose all the limitation, as discussed in claims 14 and 17.

Regarding **claim 23**, Steer and Rafael disclose all the limitation, as discussed in claims 15 and 17.

Regarding **claim 24**, Steer and Rafael disclose all the limitation, as discussed in claims 11 and 17.

Regarding **claim 25**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that whether the rules apply does not depend on the location of the at least one terminal (abstract, Fig. 1, 3, and column 3, lines 19 – column 4, lines 30).



Regarding **claim 27**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 9.

Regarding **claim 28**, Steer and Rafael disclose all the limitation, as discussed in claims 9 and 17. Furthermore, Steer further discloses that at least one of the communication originating device and the communication destination device is a wireless terminal within a coverage area of the base station (Fig. 1 and column 4, lines 46 – column 5, lines 62).

Regarding **claim 29**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 12.

Regarding **claim 30**, Steer and Rafael disclose all the limitation, as discussed in claims 1 and 9.

Regarding **claim 31**, Steer and Rafael disclose all the limitation, as discussed in claims 9 and 17.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ranta (EP 0998159A1) discloses Method and System for Restricting the Operation of a Radio Device within a Certain Area.

Dent (US Patent number 6,201,801) discloses Polarization Diversity Phased Array Cellular Base Station and Associated Methods.

Art Unit: 2684

"Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is (703) 306-5936. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Maung**, can be reached on (703) 308-7745. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L.  
July 7, 2004



**NICK CORSARO**  
**PATENT EXAMINER**

John J Lee